

MHRG170020212024 	SPECIAL CASE NO.167/2024 The State of Maharashtra Vs. Rakesh Chandrakant More CNR NO. MHRG170020212024
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ORDER BELOW EXH.4

1. By this application, applicant Rakesh Chandrakant More has prayed for grant of bail under Section 483 of the BNSS in connection with Crime No.342/2024 registered with Khalapur Police Station, Dist-Raigad for the offences punishable under Section 352, 351(2)(3) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(1)(r), 3(1)(s) and 3(2)(va) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. After service of the notice informant had appeared before the Court, but did not object the application. Say of Investigation Officer was also called for. The Investigation Officer was expected to file reply on 29/01/2026. However, on that day none has appeared. Thereafter on 12/02/2026 application Exh.11 was submitted and time was sought for filing the reply. Accordingly, time till today was granted to file say. However, now it is 3.30 p.m. but it appears that the Investigation Officer has not bothered to file reply to the application for the best reasons known to him. Therefore, the learned SPP is directed to file say.

Accordingly, learned SPP Mr. Wajid Shaikh has submitted reply. Therefore, I have proceeded to decide present application.

3. Learned advocate Smt. Sukhada Palande for the applicant has submitted that during investigation the applicant was not arrested by the Investigating Officer and that he has extended co-operation to the Investigation Officer. Thus, it is prayed for grant of bail.
4. Learned SPP Mr. Wajid Shaikh has submitted that the offence alleged against the applicant is serious in nature and that there is possibility of tampering with the evidence and therefore he has prayed for rejection of the application.
5. Upon perusal of the record it is found that during investigation the applicant was not arrested. It is not the case that due to the non co-operation by the applicants, the investigation was hampered. On the contrary the record reveals that after submission of the report under Section 193 of the BNSS, the applicant has appeared before the Court. Furthermore, it is not the case that the applicant while on interim bail has misused the liberty. In this background, I have no hesitation to exercise discretion in favour of the applicants. Hence, I proceed to pass following order.

:: ORDER ::

- 1) The application is allowed.

- 2) The applicant namely **Rakesh Chandrakant More**, in Crime No.342/2024 registered with Khalapur Police Station, Dist-Raigad for the offences punishable under Section 352, 351(2)(3) of the Bharatiya Nyaya Sanhita, 2023 and under Section 3(1)(r), 3(1)(s) and 3(2)(va) of The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is ordered to be released on bail on his executing P. B. and S. B. of Rs.25,000/- in the like amount.
- 3) The applicant shall not involve in similar type of activities in future. If it is found that the applicant is involved in similar activities or that he is arrested for commission of such offence, the bail granted in favour of the applicant shall be liable to be cancelled.
- 4) Applicant shall not directly or indirectly pressurize the informant and prosecution witnesses.
- 5) Applicant shall submit a list of at least 3 blood/nearest relatives with their detail residential addresses and also the addresses of their place of work, if any and documentary proof of showing the correctness of the details produced by them.
- 6) Applicant and the surety as a condition for grant of bail must necessarily inform the police authorities as well as this Court change of their residential address, while applicant on bail.
- 7) Applicant shall submit copies of at least two documents amongst the Passport, PAN Card, Aadhar Card, Ration Card, Electricity bill or Voter Identity Card issued by the Election Commission of India.

- 8) After submission of these two documents the concerned Police Station shall conduct physical verification of the residential address so as to confirm the address appearing on these documents and place before the Court a certificate to that effect under the signature of the S.H.O.
- 9) Applicant shall not misuse discretion which has been used by this court in his favour.
- 10) Inform to concern Police Station.
(Dictated and Pronounced in open Court.)

Place : Panvel.

Date : 07/03/2026

**(Dinesh E. Kothalikar)
Special Judge (SC & ST),
Panvel, Dist. Raigad.**